

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

ORIGINAL
FILE

RECEIVED

APR 7 - 1992

In the Matter of

Amendment of Part 61 of the
Commission's Rules to Require
Quality of Service Standards
in Local Exchange Carrier
Tariffs

)
)
)
)
)
)
)

RM-

Federal Communications Commission
Office of the Secretary

ORIGINAL

JOINT PETITION FOR RULEMAKING

Brian R. Moir
FISHER, WAYLAND, COOPER & LEADER
Suite 800
1255 23rd Street, N.W.
Washington, D.C. 20037
(202) 775-5661

Attorney for International
Communications Association

Gene Kimmelman
Consumer Federation of America
Suite 604
1424 16th Street, N.W.
Washington, D.C. 20036
(202) 387-6121

Attorney for Consumer Federation of
America

April 6, 1992

No. of Copies rec'd
List A B C D E

063

TABLE OF CONTENTS

	<u>Page</u>
SUMMARY OF POSITION	ii
I. INTRODUCTION	2
II. THE COMMISSION SHOULD CONSIDER THE NEED FOR TARIFFED QUALITY OF SERVICE STANDARDS . . .	4
A. Quality of Service Standards Determine the Value of Service Provided by the LECs and Should Thus Be Included in the Carriers' Tariffs	7
B. The Commission Should Consider the Benefits to Users of Including Quality of Service Standards in the LECs' Tariffs	10
1. Dedicated digital transmission standards	11
2. Switched service standards . . .	13
III. TARIFFED QUALITY OF SERVICE STANDARDS WOULD NOT BE BURDENSOME FOR THE COMMISSION OR THE LECS	15
IV. CONCLUSION	18

SUMMARY OF POSITION

The Joint Petitioners urge the Commission to initiate a rulemaking proceeding for the purpose of requiring the LECs subject to mandatory price cap regulation to include their existing internal quality of service standards in their interstate tariffs. The Joint Petitioners believe that the LECs' recent disclosure of their existing internal standards make the initiation of such a rulemaking practical, desirable, and in the public interest.

Consumers of communications services are entitled to know what they are buying. At present, the LECs are the only major service vendors in the nation's economy which are in no way obligated to meet specific and enforceable quality standards. Requiring the LECs to include quality of service standards in their tariffs would thus do nothing more than require the carriers to operate in the same commercial environment as the customers they serve. The carriers' failure to include such standards in their interstate tariffs is of particular concern to users because the LECs' cost-reducing incentives under price cap regulation could result in lower service quality. Absent the pressures of a competitive market, the carriers should be required to publish in their interstate tariffs their current internal quality of service standards.

Only a limited number of service quality standards need be included in the LECs' interstate tariffs. For dedicated digital transmission services, tariffs should include standards for bit error rate and availability. For dial-up analog services, tariffed

standards should include signal-to-noise ratio, call completion, and post-dial delay. Each of these technical standards, or reasonable substitutes, can be tariffed with a minimum of effort on the part of the LECs.

The Joint Petitioners are not asking the Commission to engage in standards-setting. They are simply requesting that the Commission require the LECs to include in their tariffs the internal performance standards which these carriers already utilize and which, for the most part, they have already disclosed to Congress. The Commission need only deal with such issues as which categories of standards should be included in the carriers' tariffs and how these standards should be expressed. Tariffed quality standards would allow users to "benchmark" the quality of LEC service, compare that service with possible alternatives, and acquire additional service protection if that is required. The certainty created by tariffed standards would also allay disputes. Because the potential benefits of service quality standards are significant and because the costs, if any, are few, the Commission should initiate a rulemaking proceeding to examine the required changes in its tariff rules.

WASHINGTON, D.C.

Federal Communications Commission
Office of the Secretary

The CFA is a coalition of more than 240 consumer organizations. CFA's chief role is to represent the consumer

interest before the United States Congress and Federal regulatory agencies.

The two organizations, ICA and CFA collectively, represent the entire spectrum of end users of LEC ratepayers.

I. INTRODUCTION

As major user organizations, the Joint Petitioners are very much aware of the recent decisions by the Commission and its Common Carrier Bureau regarding quality of service standards and reporting requirements for LECs subject to price cap regulation.^{1/} This petition deals only with a narrow subset of those issues -- tariff requirements -- and does so in the context of fundamentally changed circumstances resulting from newly available information. In February of 1992, information about the LECs' internal service quality standards was, for the first time, placed in the public domain by the U.S. House of Representatives' Energy and Commerce Committee.^{2/} This new information, which requires the Commission's consideration, originates with the LECs themselves and, to the Joint Petitioners' knowledge, has not yet been placed before the Commission in any formal regulatory proceeding. As such, this

1/ See Policy and Rules Concerning Rates for Dominant Carriers, 6 FCC Rcd 2637, 2716-34 (1991) [hereinafter "Reconsideration Order"]; Policy and Rules Concerning Rates for Dominant Carriers, 6 FCC Rcd 2974 (1991) [hereinafter "Bureau Order"].

2/ See "Review of Telephone Network Reliability and Service Quality Standards," Majority Staff Report of Subcommittee on Telecommunications and Finance, Committee on Energy and Commerce, U.S. House of Representatives (February 1992) [hereinafter "Majority Staff Report"]. Sections 1 and 2 of this report are attached as an appendix to this petition.

Joint Petition transcends the record before the Commission on review of the Common Carrier Bureau's decision regarding service quality issues.^{3/}

Because quality of service standards have largely been dealt with in conjunction with related issues such as network outages and reliability, it is important to define carefully the scope of the Joint Petitioners' proposals. Since gradual deterioration of a circuit precedes most circuit failures^{4/}, the Joint Petitioners proposals are an attempt to provide users with an early warning system of circuit deterioration and possible failures. As such, these proposals are not an attempt to "bypass" the Commission's industry-wide inquiry into the reliability of the public switched network. The Commission's inquiry deals with important issues relating to network reliability, as distinguished from network service quality. Thus, matters such as switched network outages, emergency procedures, and repair intervals, all of which of very important and the focus of Commission and advisory committee proceedings,^{5/} are not raised directly by this petition. Although

3/ See Bureau Order, 6 FCC Rcd at 2991-92; Application for Review filed by the Tele-Communications Association and 14 other parties including CFA and ICA, CC Docket No. 87-313 (filed June 17, 1991) [hereinafter "Industry Application for Review"].

4/ See "IS HI-PER-T THE CURE FOR AT&T'S HYPERTENSION?" Business Week, Feb. 17, 1992, at 130M. The article discusses, among other things, a circuit-monitoring system which "gives an early warning of the gradual deterioration of a circuit" and goes on to state that circuit deterioration "precedes about 70% of all circuit failures."

5/ See, e.g., Disruption of Telephone Service, CC Docket No. 91-273, FCC 92-58 (released Feb. 27, 1992).

the Joint Petitioners believe that tariffed quality of service standards will have a positive influence on network reliability, such results are not the primary purpose of this request for rulemaking.

The goal of the tariff requirements sought by the Joint Petitioners is to help users identify service quality problems and, by doing so, to provide the carriers with an incentive to prevent such problems from arising. As discussed below, a degradation of service quality, while not as dramatic as a network outage, is a serious cause for user concern. Tariffed quality of service standards should thus be viewed as essential terms of the agreement between carriers and their customers, in particular their "captive" customers. As is also discussed below, the Joint Petitioners' proposals are eminently feasible. They will not involve the Commission in burdensome or inappropriate standards-setting, nor will they result in exhaustive tariff review proceedings. Indeed, the Joint Petitioners strongly believe that tariffed quality of service standards will reduce misunderstandings between carriers and users, and thereby reduce the potential for regulatory intervention.

II. THE COMMISSION SHOULD CONSIDER THE NEED FOR TARIFFED QUALITY OF SERVICE STANDARDS.

The Joint Petitioners believe that a requirement that the LECs include quality of service standards in their

interstate tariffs is clearly required by the public interest.^{6/} Indeed, such a requirement would be among the most effective and least intrusive means of ensuring that the incentives created by price cap regulation -- to reduce costs so as to increase earnings -- do not manifest themselves in a deterioration of service quality. Unlike a network outage, a degradation in service quality may not be immediately apparent. Nevertheless, a decline in transmission quality can be a troublesome and ultimately expensive development, and one which can defy an immediate or effective remedy.

Quality of service standards are increasingly critical because of the growing importance of communications to the productivity of many U.S. businesses. High-speed computer communications involving the transfer of massive amounts of information can be effectively brought to a halt by a decline in leased circuit transmission quality. Similarly, a residential or small business user using a modem and dial-up service can have his or her data transmission capabilities severely curtailed by an unacceptable level of "noise" on the switched network. A decline in call completion quality can also have serious ramifications for emergency services which rely

6/ The Commission has noted that LEC tariffs contain cross-references to Bell Technical Publications, which define technical parameters of service, but which do not establish specific standards of acceptable service quality. Policy and Rules Concerning Rates for Dominant Carriers, 5 FCC Rcd 6786, 6830 & n.483 (1990). The Common Carrier Bureau has declined to establish such requirements. Bureau Order, 6 FCC Rcd at 2991-92. That decision is now before the Commission on re-view. See Application for Review filed by the Tele-Communications Association and 14 other parties including CFA and ICA, CC Docket No. 87-313 (filed June 17, 1991).

on switched voice communications, and thus can pose a critical threat to consumer welfare.

In most cases, the user has no practical alternative to the LEC-provided service which has developed a transmission quality problem. Moreover, without readily identifiable service quality standards contained in the carriers' tariffs, users experiencing service quality problems have very little leverage in dealing with the LECs to ensure that these problems are acknowledged, much less corrected, in a timely fashion.

There is a fundamental equitable consideration presented by tariffed quality of service standards which goes well beyond redressing the lower-cost, lower-quality, higher-earnings incentives which the dominant LECs now possess under price cap regulation. Without knowledge of the standards used by the LECs to measure the quality of service, users are denied the information that would be available to them in a competitive, unregulated market. Independent of any controversy over the consequences of price cap regulation, users should have the right to know what they are buying when they acquire tariffed LEC services. Minimal tariff requirements for quality of service standards would provide this information and redress this inequity.

In the following paragraphs of this section, the Joint Petitioners discuss the need for tariffed quality of service standards in two different contexts: (1) the legal, equitable, and competitive significance of such standards as an element of tariff regulation; and (2) the practical significance of tariffed

standards for users of switched analog and dedicated digital transmission services.

A. Quality of Service Standards Determine the Value of Service Provided by the LECs and Should Thus Be Included in the Carriers Tariffs.

By requiring the LECs to include quality of service standards in their tariffs, the Commission would merely be requiring the carriers to disclose the essential terms and conditions surrounding their provision of regulated transmission services. Such a requirement would not involve intrusive regulatory interference with the commercial operations of the carriers. To the contrary, the Commission would merely be preventing the LECs from using regulation and their tariffs to avoid the obligations which all businesses assume in a competitive marketplace. At present, the LECs are the only major service vendors in the nation's economy which are in no way obligated to meet specific and enforceable quality standards. Requiring the LECs to include quality of service standards in their tariffs would thus do nothing more than require the carriers to operate in the same commercial environment as the customers they serve.

The Joint Petitioners do not seek tariffed quality of service standards as a means of increasing regulatory involvement in the delivery of communications services. Rather, the Joint Petitioners' goal is to decrease the likelihood that such involvement will be needed. Tariffed quality of service standards, like those which typically appear in commercial contracts, would provide both carriers and their customers with a measure of

certainty, and would ensure that there is a meeting of the minds as to the quality of the service being provided. Moreover, where performance standards in a contract are clearly stated, a party's failure to perform can often be quickly and informally resolved without the need for formal adjudications, compensation for damages, or equitable relief.

At present, the LECs' tariffs for their interstate services resemble contracts of adhesion rather than the type of contract discussed above. Consistent with this "take it or leave it" approach found so often in monopoly environments, essential terms and conditions relating to service quality are nowhere to be found.^{7/} A user who encounters a significant decline in service quality, like the unfortunate victim of an egregious contract of adhesion, may have no alternative other than to initiate formal legal proceedings, either judicial or administrative.^{8/}

^{7/} The Joint Petitioners believe that the omission of such essential terms and conditions, in circumstances where carriers have demonstrable incentives to allow the quality of their service to decline, may violate the requirements of Section 201(b) of the Communications Act, which requires "just and reasonable" practices. Moreover, the absence of tariffed quality standards, as noted above, may ultimately result in increased litigation and administrative burdens on the Commission. Cf. A&M Produce Co. v. F.M.C. Corp., 135 Cal. App. 3d 473 (1982) (seller's attempt to exclude all warranties through standardized form contract found unconscionable).

^{8/} As the Commission is aware, the formal complaint process can be lengthy and burdensome; it is a particularly unattractive method for resolving service quality disputes. See Report No. DC-2051, "Changes in Complaint Procedures Against Common Carriers Proposed," CC Docket No. 92-26 (Feb. 13, 1992). The informal complaint process is significantly less burdensome, but can be confounded by an uncooperative carrier. A user faced with a serious service quality problem may thus have no

(continued...)

Victims of unfair adhesion contracts typically seek relief through avoidance of the contract.^{9/} Unfortunately, such a remedy is of little value to users of the LECs' services because these users rarely have anyplace else to go for service. Residential consumers and almost all business users cannot realistically drop their telephone service because signal noise has increased to unacceptable levels. The same is true for the largest business users in all but a few of locations scattered throughout the United States.

The Joint Petitioners therefore urge the Commission to take the monopoly nature of LEC services into account in reviewing this request for tariffed service quality standards. The Commission should also view such action in the context of its initiatives to foster a more competitive environment for interstate access services.^{10/} A key element in the success of a competitive market is the availability and dissemination of information about substitutes.

If competition ever develops in the future at the local level, it may force the LECs to be forthcoming about the quality of their tariffed services. Such future competitive pressures would also ultimately deter the LECs from setting their tariffed standards too

8/ (...continued)
practical administrative remedies available at the interstate level.

9/ See Farnsworth, E., Contracts § 4.26 (1982); see also, e.g., A&M Produce Co. v. F.M.C. Corp., supra at note 6.

10/ See, e.g., Expanded Interconnection with Local Telephone Company Facilities, 6 FCC Rcd 3259 (1991).

low, thus further reducing the potential for Commission adjudication. In the meantime, given the LECs' monopoly of local exchange services, users need information about quality standards to evaluate exactly what standard of service they are currently receiving from the LEC's. If, based on this information, users are able to perceive a potential service quality problem, then users will be able to purchase and utilize whatever means are available, including additional LEC services (e.g., secondary channels, diverse routing, etc.), to ensure that their communications requirements are met. Such information would also apply pressure upon the LECs to explain differences between their varying standards of quality.

Requiring the carriers to tariff their existing quality of service standards is not simply a matter of counterbalancing the potential negative incentives of price cap regulation; it is also an issue of fundamental fairness to the captive ratepayers of monopoly service providers. The Commission should therefore initiate the rulemaking proceeding requested by the Joint Petitioners to consider amendments of its tariff regulations to encompass quality of service standards.

B. The Commission Should Consider The Benefits To Users of Including Quality of Service Standards in the LECs' Tariffs.

The Joint Petitioners believe that only a limited number of service quality standards need be included in the LECs' interstate tariffs. For digital transmission services, tariffs should include standards for bit error rate and availability. For dial-up analog

services, tariffed standards should include signal-to-noise ratio, call completion, and post-dial delay.

The need for tariffed performance standards is particularly acute because of the continuing nature of communications services. Although a user can engage in testing before accepting new circuits to determine whether they are of the desired quality, private lines, PBX trunks and the like can and do deteriorate in quality over time. In the absence of tariffed standards against which to measure the performance of these lines, a user is handicapped in its ability to require an LEC to repair or replace these circuits. A user is also susceptible to the claim that, having accepted these circuits in the first instance, they must be of acceptable quality. Tariffed service quality standards would provide a user with the means to ensure that the LEC continues to provide the same quality of service which it did when the user first accepted these circuits.

Neither the Commission nor users will benefit from tariffed quality of service standards, however, unless they measure the relevant parameters of service. It is therefore important that the Commission identify the particular categories of standards which should appear in the LECs' tariffs. This will also ensure that all of the LECs subject to price cap regulation include the same service quality standards in their tariffs.

1. Dedicated Digital Transmission Standards

In the case of digital private lines, there are two quality of service standards that are best used to measure performance:

availability and bit error rate.^{11/} Availability is, as its name suggests, the percentage of time that a full-period private line is available for use by a subscriber. Although stated in terms of a percentage, availability is a binary measurement, in that it measures whether a line is "up" and available for use or whether a line is "down" and incapable of transmitting information. Availability is very easily measured because it reflects extremes. There is rarely any doubt whether and when a given line is "available."

Bit error rate is a complementary measure of quality; it is also a much finer measurement than availability. Whereas availability measures the amount of time that a circuit is available for use, bit error rate measures the quality of transmission over that line. More specifically, bit error rate is a measure of the number of bits transiting a digital private line that are errored (i.e., incorrectly transmitted) during a given period of time. Bit error rate is stated as a negative exponent.

Taken together, availability and bit error rate provide an accurate measure of the quality of digital private lines. Information recently made available by the LECs indicates that for some digital services, in particular DDS, some carriers do not utilize an internal standard for bit error rate.^{12/} For those

^{11/} Only one carrier, BellSouth, professed to have no standard for either of these parameters in the two most widely-used digital access services, DDS and DS1. See Majority Staff Report at Section 2, Question 6.

^{12/} See Majority Staff Report at Section 1, Summary & at Section 2, Question 6.

cases, the Commission may wish to consider a substitute standard, such as error-free seconds. In all cases, however, the Commission should require the LECs to include standards in their tariffs that enable users to make a realistic appraisal of the quality of the service they are going to receive.

2. Switched Service Standards

There are many different measures of quality for switched communications services. Analog transmission quality, which is important for data communications, can be expressed by a number of different measures, such as signal loss, C-message noise, C-notch noise, etc.^{13/} Each of these measurements involves a calculation of the strength of the signal compared with transmission noise. The standards utilized by the Bell Operating Companies and GTE are uniform, and are based on Bellcore Technical References and GTE's Technical Interface Manual.^{14/} In the rulemaking requested by the Joint Petitioners, the Commission should solicit comment on which of these standards should be included in the LECs' tariffs. At a minimum, the selected standards should provide users with sufficient information to determine whether transmission quality will be suitable for normal voice conversations and low-speed data transmission. The residential and business users of fax/modem equipment are now able to purchase products with speeds up to 56 KB per second at prices no more expensive than a high quality VCR; faster products are expected soon. With residential and small

^{13/} See id. at Section 2, Question 4, Table B.

^{14/} Id.

business customers using equipment of increasing speeds, circuit line quality becomes a matter of extreme importance to users of all sizes, not just large users.

Switching involves a different set of quality parameters than transmission. For residential consumers primarily interested in voice communications, the critical issue is whether they can be assured of completing their calls in an expeditious manner. As is clear from the information provided by the LECs, the carriers have developed a sophisticated set of standards covering measurements of office overflow, dial speed, outgoing call set up troubles, incoming call set up troubles, and so on.^{15/} The Commission should invite comments regarding the relationship of these standards to call completion and calling delay, which are of critical importance to users of switched communications services.

An important subset of switching performance, and one that has received substantial Commission attention, is post-dial delay. As the Commission is aware, this performance characteristic is extremely important for users of 800 Service.^{16/} As the LECs are already under a mandate to achieve a maximum access time of five seconds and a mean access time of 2.5 seconds for all of their 800

^{15/} See id. at Section 2, Question 5. Most of the major LECs use standards included in the Network Switch Performance Plan. Only GTE and NYNEX do not utilize this system or an equivalent, but those carriers do measure blockage and other switching performance characteristics.

^{16/} See, e.g., Provision of Access for 800 Service, 6 FCC Rcd 5421, 5423 (1991).

traffic,^{17/} an equivalent tariffed standard for other switched services is easily within reach. Such a standard would also buttress Commission oversight of the potential problem of excessive post-dial delay in the transition from 800 NXX access to SS7-based 800 database access.

The Commission should also consider the benefits to the LECs of including quality of service standards in the LECs' tariffs. The Joint Petitioners believe that the public disclosure of service quality standards by each of the LECs will create some level of pressure on LECs to raise their standards of quality since those with the lower standards of service will not wish to have the negative image associated with being at the lower level of the industry.

III. TARIFFED QUALITY OF SERVICE STANDARDS WOULD NOT BE BURDENSOME FOR THE COMMISSION OR THE LECs.

The Common Carrier Bureau has recognized that tariffed quality of service standards would allow for performance "benchmarking" and would remove uncertainty.^{18/} The Bureau, however, found such standards to be "unwarranted" because of the "administrative burden and lag" and the absence of any need for the Commission to develop national standards.^{19/} The Joint Petitioners are not, through this request for rulemaking, asking the Commission to develop national standards. Rather, the users represented by the Joint

^{17/} Id. at 5425.

^{18/} Bureau Order, 6 FCC Rcd at 2991.

^{19/} Id. at 2991-92.

Petitioners are simply requesting that the Commission require the LECs to include in their tariffs the internal performance standards which these carriers already utilize and which, for the most part, they have already disclosed.^{20/} The Commission's rulemaking need only deal with such issues as the categories of standards which should be included in the carriers' tariffs and how these standards should be expressed. In the limited circumstances where the LECs have not adopted the standards described above, the Commission should seek comment on appropriate substitute standards.

Such an approach to initiating tariffed quality of service standards would impose virtually no burden on the LECs. These carriers need only submit tariff revisions stating in summary form the standards already in place. Given the relatively short interval for the effective date of such tariff revisions,^{21/} as well as the significant latitude afforded the Commission in its initial tariff review processes, such tariffed standards could be in place in the relatively near future.

The Joint Petitioners do not discount the possibility, which was raised by the Bureau, that the Commission could be asked to rule upon the reasonableness of, and perhaps to enforce, tariffed quality of service standards. The users which comprise the Joint Petitioners would themselves oppose a tariff revision which set an unacceptably low standard for service quality. A service quality benchmark, however, already exists in the form of the material

^{20/} See Majority Staff Report at Section 2.

^{21/} See 47 C.F.R. § 61.59 (1991) (thirty days).

which the LECs have placed into the public record.^{22/} The Commission could, in the first instance, simply inspect tariff revisions incorporating quality of service standards for gross deviations from the standards already presented to Congress. Beyond that, parties opposing changes in tariffed quality standards would be bound by the same rules that govern any petitions against new tariff filings.^{23/}

There is, of course, the small potential that the Commission could become involved in disputes over service quality standards. The Joint Petitioners believe that this slight potential should be weighed against the consequences of inaction, the rights of users to know what they are buying from regulated common carriers, and the Commission's responsibilities under the Communications Act. The product of these deliberations should be a carefully formulated Notice of Proposed Rulemaking, which would tentatively conclude that tariffed quality of service standards would serve the public interest, and which would seek comments from interested parties as to the best means of prescribing appropriate tariff requirements.

^{22/} See Majority Staff Report, Section 2. Information on service quality standards could serve not only as the Commission's starting point for tariff review purposes, but also as a means of "benchmarking" the resulting tariffs against each other. The Joint Petitioners doubt that any major LEC would wish to incur the negative publicity that would result if its tariffed standards were to reveal a gross disparity in quality when compared to other LECs or a significant decrease from the internal standards it had previously revealed to Congressional staff.

^{23/} See 47 C.F.R. § 1.773 (1991).

IV. CONCLUSION

Tariffed quality of service standards will provide the Commission and users with an immediate benchmark against which to judge the LECs' performance under incentive regulation. Users of the LECs' services currently have a critical unmet need to know the quality of the service which they can expect to receive. The Commission should therefore initiate a rulemaking proceeding for the purpose of investigating the most appropriate and effective means of requiring the LECs to include existing service quality standards in their tariffs.

Respectfully submitted,

INTERNATIONAL COMMUNICATIONS
ASSOCIATION

By: 

Brian R. Moir
FISHER, WAYLAND, COOPER & LEADER
Suite 800
1255 23rd Street, N.W.
Washington, D.C. 20037-1170
(202) 775-5661

CONSUMER FEDERATION OF AMERICA

By: 

Gene Kimmelman
Suite 604
1424 16th Street, N.W.
Washington, D.C. 20036
(202) 387-6121

April 6, 1992

APPENDIX

EXCERPTS FROM:

MAJORITY STAFF REPORT
Subcommittee on
Telecommunications and Finance,
Committee on Energy and Commerce,
U.S. House of Representatives

(February 1992)

REVIEW OF TELEPHONE NETWORK RELIABILITY
AND SERVICE QUALITY STANDARDS

A MAJORITY STAFF REPORT

prepared for the use of the

SUBCOMMITTEE ON TELECOMMUNICATIONS
AND FINANCE

of the

COMMITTEE ON ENERGY AND COMMERCE

U.S. House of Representatives

February 1992

CONTENTS

	<u>Section</u>
Transmittal Memorandum.....	1
Summary	
Local Exchange Carriers.....	
Long Distance Carriers.....	
Conclusions.....	
Introduction.....	
Recap of 1991 Failures, Investigations, and Actions Taken by the FCC	
Regulators Play "Catch-Up".....	
Getting Industry to Work the Problem.....	
Requiring Common Carrier Outage Reports.....	
The Worst Outage in Recent History.....	
Realistic Software Tests Proposed.....	
Anywhere But Boston.....	
Network Reliability Council Established.....	
Detailed Analysis of Local Exchange Carrier Internal Service Quality Standards.....	2
Summary Analysis of Long Distance Carrier Internal Service Quality Standards.....	3
Questions for Local Exchange Carriers.....	4
Questions for Long Distance Carriers.....	5
Letter dated October 8, 1991, to FCC from the Chairman, House Subcommittee on Telecommunications and Finance Re: FCC's regulatory role in ensuring telephone network reliability and service quality.....	6
FCC's October 22, 1991, response to the October 8, 1991, letter from Subcommittee Chairman Markey.....	7
Letter dated January 16, 1992, to FCC from Wiley, Rein and Fielding (Counsel for TCA) Re: outage reporting.....	8
Scope and Methodology of this Report.....	9
Acronyms and Glossary.....	9